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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION

JESUS PIMENTEL, DAVID R.
WELCH, JEFFREY O'CONNELL,
EDWARD LEE, WENDY
COOPER, JACLYN BAIRD,
ANTHONY RODRIGUEZ,
RAFAEL BUELNA, ELEN
KARAPETYAN, and all persons
similarly situated,

Plaintiffs,

v.

CITY OF LOS ANGELES

Defendant.

Case No. 2:14-cv-01371-FMO (Ex)

**DECLARATION OF DONALD
R. PEPPERMAN IN SUPPORT
OF JOINT BRIEF
REGARDING THE PARTIES'
CROSS-MOTIONS FOR
SUMMARY JUDGMENT
[Fed.R.Civ.P. 56]**

**Date: October 28, 2021
Time: 10:00 a.m.
Courtroom: 6D**

Hon. Fernando M. Olguin

DECLARATION OF DONALD R. PEPPERMAN

I, Donald R. Pepperman, declare as follows:

4 1. I am an attorney licensed to practice in the State of California. I am a
5 partner at the Waymaker LLP (“Waymaker”) law firm, co-counsel to Jesus Pimentel,
6 David R. Welch, Jeffrey O’Connell, Edward Lee, Wendy Cooper, Jaclyn Baird, and
7 Rafael Buelna (“Plaintiffs”) in this action and co-lead trial counsel in this matter. I
8 make this Declaration in connection with the concurrently filed Joint Brief Regarding
9 the Parties’ Cross-Motions for Summary Judgment in the above captioned matter. I
10 have personal knowledge of the facts set forth herein and if called as a witness I
11 could and would competently testify thereto.

12 2. Attached to the Joint Evidentiary Appendix (“JEA”) as **Exhibit 4** is a
13 true and correct copy of a written transcript of the video recording of the Ninth
14 Circuit oral argument hearing conducted on January 7, 2020, in the appeal of this
15 matter.

16 3. Attached to the JEA as **Exhibit 5** is a true and correct copy of the
17 Declaration of Jay Beeber (“Beeber Decl.”), dated April 23, 2017. Mr. Beeber is an
18 expert retained by Plaintiffs to provide expert opinions and testimony on the subject
19 of parking meter violation fines/penalties.

20 4. Attached to the JEA as **Exhibit 6** is a true and correct copy of the
21 Declaration of Jay Carsman (“Carsman Decl.”), dated April 23, 2017 (4 pages).

22 5. Attached to the JEA as **Exhibit 7** is a true and correct copy of the
23 Declaration of Abel Valenzuela (“Valenzuela Decl.”), dated April 26, 2017. Dr.
24 Valenzuela is an expert retained by Plaintiffs to provide expert opinions and
25 testimony on the impacts of parking meter violation fines/penalties on low-income
26 persons/households.

27 6. Attached to the JEA as **Exhibit 8** is a true and correct copy of the
28 Declaration of Plaintiff Jaclyn Baird (“Baird Decl.”), dated May 1, 2017 (3 pages).

1 7. Attached to the JEA as **Exhibit 9** is a true and correct copy of the
2 Declaration of Plaintiff Edward Lee (“Lee Decl.”), dated April 27, 2017 (2 pages).

3 8. Attached to the JEA as **Exhibit 10** is a true and correct copy of the
4 Declaration of Plaintiff Jeffrey O’Connell (“O’Connell Decl.”), dated April 25, 2017
5 (3 pages).

6 9. Attached to the JEA as **Exhibit 11** is a true and correct copy of the
7 Declaration of Plaintiff Jesus Pimentel (“Pimentel Decl.”), dated May 20, 2017 (3
8 pages).

9 10. Attached to the JEA as **Exhibit 12** is a true and correct copy of the
10 Declaration of Plaintiff David Welch (“Welch Decl.”), dated April 24, 2017 (4
11 pages).

12 11. Attached to the JEA as **Exhibit 13** is a true and correct copy of the
13 Declaration of Plaintiff Wendy Cooper (“Cooper Decl.”), dated April 30, 2017 (3
14 pages).

15 12. Attached to the JEA as **Exhibit 14** is a true and correct copy of the
16 Declaration of Plaintiff Rafael Buelna (“Buelna Decl.”), dated April 24, 2017 (3
17 pages).

18 13. Attached to the JEA as **Exhibit 15** is a true and copy of excerpts from
19 the transcript of the deposition of Robert Andalon, LADOT Chief Management
20 Analyst, conducted by Plaintiffs’ counsel on September 26, 2016 (“Andalon Depo.
21 I”).

22 14. Attached to the JEA as **Exhibit 16** is a true and correct copy of excerpts
23 from the transcript of the deposition of Robert Andalon, LADOT Chief Management
24 Analyst (City’s Fed.R.Civ.P. 30(b)(6) designee), conducted by Plaintiffs’ counsel on
25 March 16, 2017 (“Andalon Depo. II”).

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1 15. Attached to the JEA as **Exhibit 17** is a true and correct copy of excerpts
2 from the transcript of the deposition of Jay M. Beeber conducted by Plaintiffs'
3 counsel on September 2, 2016 ("Beeber Depo.").

4 16. Attached to the JEA as **Exhibit 18** is a true and correct copy of excerpts
5 from the transcript of the deposition of Angel Marcel Porras, LADOT, conducted by
6 Plaintiffs' counsel on January 6, 2017 ("Porras Depo.").

7 17. Attached to the JEA as **Exhibit 19** is a true and correct copy of excerpts
8 from the transcript of the deposition of Seleta Reynolds, LADOT General Manager,
9 conducted by Plaintiffs' counsel on January 27, 2017 ("Reynolds Depo.").

10 18. Attached to the JEA as **Exhibit 20** is a true and correct copy of excerpts
11 from the transcript of the deposition of Gregory John Savelli, LADOT Chief Parking
12 Enforcement and Traffic Control, conducted by Plaintiffs' counsel on January 10,
13 2017 ("Savelli Depo.").

14 19. Attached to the JEA as **Exhibit 21** is a true and correct copy of excerpts
15 from the transcript of the deposition of Anita Tang, LADOT Management Analyst,
16 conducted by Plaintiffs' counsel on September 6, 2016 ("Tang Depo.").

17 20. Attached to the JEA as **Exhibit 22** is a true and correct copy of
18 Defendant City's "Responses to Plaintiffs Edward Lee and Rafael Buelna's First Set
19 of Interrogatories to Defendant," dated December 13, 2016 (10 pages).

20 21. Attached to the JEA as **Exhibit 23** is a true and correct copy of the
21 "Final Report" of the Los Angeles Parking Reform Working Group ("LAPRWG"),
22 dated February 10, 2015 (38 pages).

23 22. Attached to the JEA as **Exhibit 24** is a true and correct copy of a
24 document entitled "LAPRWG: Response to LADOT Report on the Feasibility of a
25 Tiered Fine Structure" (12 pages).

1 23. Attached to the JEA as **Exhibit 25** is a true and correct copy of a posting
2 entitled “Where Your Parking Fines Go” obtained from the LADOT’s website (3
3 pages).

4 24. Attached to the JEA as **Exhibit 26** is a true and correct copy of a posting
5 obtained from the LADOT’s website entitled “Parking Tickets” (3 pages).

6 25. Attached to the JEA as **Exhibit 27** is a true and correct copy of a press
7 release, dated January 10, 2017, entitled “Controller Calls on City to Hold off on
8 Parking Fine Reductions” (1 page).

9 26. Attached to the JEA as **Exhibit 28** is a true and correct copy of a letter,
10 dated January 11, 2017, entitled “Parking Citations and Revenue” from Ron Galperin
11 (L.A. City Controller) to Mayor Eric Garcetti and the Members of the L.A. City
12 Council (3 pages).

13 27. Attached to the JEA as **Exhibit 29** is a true and correct copy of a posting
14 dated February 13, 2017, obtained from the L.A. City Controller’s website entitled
15 “LA’s Newest Data Portal Highlights Where, When, and Why People Get Parking
16 Tickets” (5 pages).

17 28. Attached to the JEA as **Exhibit 30** is a true and correct copy of a chart
18 dated February 23, 2017, entitled “City of Los Angeles Parking Program – Meter
19 Citations.” The chart was prepared at the direction of the City Attorney’s Office and
20 provided to Plaintiffs’ counsel in response to discovery requests (1 page).

21 29. Attached to the JEA as **Exhibit 31** is a true and correct copy of the
22 “LADOT Annual Report Fiscal Year 2015-16” obtained from the LADOT’s website
23 (20 pages).

24 30. Attached to the JEA as **Exhibit 32** is a true and correct copy of a
25 document from the “TIMS” computer system produced by the City relating to a
26 parking ticket issued to Plaintiff Jeffrey O’Connell, dated February 22, 2013 (1
27 page).

31. Attached to the JEA as **Exhibit 33** is a true and correct copy of a document entitled "Notice of Delinquent Parking Violation," relating to a "meter expired" violation for Plaintiff Eddie Lee (ticket issued April 6, 2013) (1 page).

32. Attached to the JEA as **Exhibit 34** is a true and correct copy of the transcript of the deposition of Mark Granado conducted by Plaintiffs' counsel on August 19, 2021.

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing information is true and correct. Executed on September 30, 2021, at Los Angeles, California.

Donald R Pepperman

Donald R. Pepperman